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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,242	09/22/2000	Jill M. Boyce	Boyce 6-2	9862

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EXAMINER

LY, ANH VU H

ART UNIT PAPER NUMBER

2667

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/668,242

Applicant(s)

BOYCE ET AL.

Examiner

Anh-Vu H Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is in response to applicant's amendment filed August 16, 2004. The proposed amendment to the claims has been entered. Claims 1-44 are pending.

Claim Objections

2. Claims 5-6, 14, 22, 28-29, 37, and 44 are objected to because of the following informalities:

With respect to claims 5-6, 14, 28-29, and 37 in lines 2 and 3, "the FEC decoder" lacks antecedent basis.

With respect to claims 22 and 44, in line 2 "an FEC decoder" should be changed to --a FEC decoder--.

With respect to claims 28 and 29, in line 2, "said error indicator" lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

With respect to amended claims 1, 16, 24, and 38, the specification does not describe nor support the steps of receiving and forwarding **payload** error information at the time the application was filed.

Claims 2-15, 17-23, 25-37, and 39-44 are rejected because they depend upon rejected independent claims 1, 16, 24, and 38.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-2, 4, 15-17, 19, 23-25, 27, 38-39, and 41 are rejected under 35 U.S.C. 102(a) as being anticipated by Larzon, Lars-Ake et al. "Efficient Use of Wireless Bandwidth for Multimedia Applications". Mobile Multimedia Communications. 1999 IEEE International Workshop on 15-17 Nov. 1999, pages 187-193.

With respect to claims 1, 16, 24, and 38, Larzon discloses on page 191, 2nd col., that errors in the insensitive parts of a packet (herein, the packet includes multimedia data and payload error information) were forwarded to the receiving application (forwarding to a higher layer) with a modified checksum (payload error information) so that they would not be detected as damaged packets by the UDP layer at the receiving host (receiving payload error information with multimedia data from RLP layer).

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With respect to claims 2, 17, 25, and 39, Larzon discloses on page 191, 2nd col., that errors in the insensitive parts of a packet were forwarded to the receiving application with a modified checksum (a set of logical transmission unit error indicators) so that they would not be detected as damaged packets by the UDP layer at the receiving host.

With respect to claims 4, 19, 27, and 41, Larzon discloses on page 188, 1st col., that UDP Lite protocol provides an optionally partial checksum (CRC), which covers sensitive headers (performing a packet header CRC).

With respect to claims 15 and 23, Larzon discloses on page 189 that the Length field can be adjusted to be included in the checksum calculation (UDP layer specifies additional packet handling procedures in accordance with a complete UDP).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-12, 20, 31-35, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larzon, Lars-Ake et al. "Efficient Use of Wireless Bandwidth for Multimedia Applications". Mobile Multimedia Communications. 1999 IEEE International Workshop on 15-

17 Nov. 1999, pages 187-193 in view of Dillon et al (US Patent No. 6,430,233). Hereinafter, referred to as Larzon and Dillon.

With respect to claims 8-12, 20, 31-35, 42, Larzon discloses (see Abstract) UDP Lite for increasing the flexibility of UDP by providing an optionally partial checksum. Larzon does not disclose multimedia data has been encoded using Maximal Distance Separable codes. Dillon discloses (col. 15, lines 30-60) that MDS codes are used in applications data (Figs. 14-15). These codes consist of a binary array such that each packet is placed as one column, and the number of rows gives the length of the code in terms of packets. These codes are often MDS, which implies that r redundant parity packets can correct r erasures. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the feature of encoding multimedia data with MDS codes in Larzon's system, as suggested by Dillon, since MDS coding can be effectively correct r erasures based on r redundant parity packets.

Allowable Subject Matter

6. Claims 3, 5-7, 13-14, 18, 21-22, 26, 28-30, 36-37, 40, and 43-44, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800 1/3/05